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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

10	UNITED STATES OF AMERICA,)	No. CR-11-00742 SBA
)	
11	Plaintiff,)	STIPULATED REQUEST TO CONTINUE
)	HEARING DATE TO OCTOBER 25, 2012
12	v.)	AND TO EXCLUDE TIME UNDER THE
)	SPEEDY TRIAL ACT AND [PROPOSED]
13)	ORDER
	VISHAL DASA,)	
14	ANJI REDDY DIRISINALA,)	
	RAMAKRISHNA REDDY KARRA, and)	Hearing Date: August 30, 2012
15	TUSHAR TAMBE)	Time: 9:30 a.m.
)	
16	Defendants.)	<u>The Honorable Kandis A. Westmore</u>
)	
17	_____)	

The above-captioned matter is set on January 24, 2012 before this Court for a status hearing. The parties jointly request that the Court continue the matter to October 25, 2012, at 9:00 a.m., before the sitting magistrate court, and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, between August 30, 2012 and October 25, 2012, so that the defense can have additional time to review and assess the voluminous discovery in this case, including supplemental discovery that the government has produced.

On October 7, 2011, the United States Attorney filed a one-count Information charging defendants with conspiracy to commit visa fraud in violation of 18 U.S.C. §§ 371 and 1546(a). On October 11, 2011, the defendants appeared before the magistrate court, waived Indictment

1 and were arraigned. Defendants face a maximum sentence of five years imprisonment on this
2 charge.

3 This case is related to a larger investigation involving Tri-Valley University (“TVU”),
4 which the government has alleged was a sham university that accepted foreign students and
5 issued legal status for these students without requiring that they attend classes. *See* Indictment in
6 *United States v. Susan Su*, CR 11-00288-SBA. Ms. Su’s case is set for trial before the Honorable
7 Saundra Brown Armstrong in April 2013.

8 The four defendants charged in this case request additional time to review the discovery
9 that the government has already produced, which includes voluminous files from TVU
10 computers that the government seized and that the defendants need to review. Additionally, the
11 defense has received additional discovery relating to the broader investigation in this case, and
12 the defense needs additional time to review those materials. For these reasons, the defense
13 requests additional time to review discovery and to assess this case, and the parties agree that this
14 is an appropriate reason to continue this case until October 25, 2012.

15 The parties stipulate and agree that the ends of justice served by this continuance
16 outweigh the best interest of the public and the defendants in a speedy trial. The parties further
17 agree that the failure to grant this continuance would unreasonably deny counsel for defendants
18 the reasonable time necessary for effective preparation, taking into account the exercise of due
19 diligence. Accordingly, the parties agree that the period of time from August 30, 2012 until
20 October 25, 2012, should be excluded in accordance with the provisions of the Speedy Trial Act,
21 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective preparation of defense counsel, taking into
22 account the exercise of due diligence.

23 DATED: August 27, 2012

/S/
WADE M. RHYNE
HARTLEY M.K. WEST
Assistant United States Attorneys

1 DATED: August 27, 2012

/S/
KENNETH MCGUIRE
Counsel for Tushar Tambe

3 DATED: August 27, 2012

/S/
GINNY H.K. WALIA
Counsel for Ramakrishna Reddy Karra

6 DATED: August 27, 2012

/S/
GALIA AMRAM PHILLIPS
Counsel for Anji Reddy Dirisinala

8 DATED: August 27, 2012

/S/
ANGELA M. HANSEN
Assistant Federal Public Defender
Counsel for Vishal Dasa

ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby
FINDS:

1. Given that this case is related to a larger investigation involving Tri-Valley University and the Indictment in *United States v. Susan Su*, CR 11-00288-SBA, and that the government produced discovery to defendants that includes voluminous computer files from the University that the defense needs to review;

2. Given that the government has produced discovery relating to the broader investigation of this case to each individual defendant;

3. Given that a complete review of the discovery is necessary to the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

4. Given that the ends of justice served by this continuance outweigh the best interest of the public and the defendants in a speedy trial;

Based on these findings, IT IS HEREBY ORDERED that the STATUS date of August 30, 2012, scheduled at 9:30 a.m., before the Honorable Kandis A. Westmore, is vacated and reset for October 25, 2012, at 9:30 a.m., before the sitting United States Magistrate Court. It is FURTHER ORDERED that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from August 30, 2012 until October 25, 2012.

August 28, 2012


KANDIS A. WESTMORE
United States Magistrate Judge